

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION

JAMES DONALD BURKHALTER

VS.

CIVIL ACTION NO. 1:14cv219-KS-MTP

IRB BENJAMIN

JUDGMENT

This matter having come on to be heard on this date upon the Report and Recommendation of the United States Magistrate Judge entered herein on August 11, 2016, and the Court, after a full review of the record, having adopted said Report and Recommendation as the finding of this Court, finds that this matter should be **dismissed** with prejudice

**The plaintiff is hereby notified that, pursuant to Rule 4(a) of the Federal Rules of Appellate Procedure, he has the right to appeal this Order to the United States Court of Appeals for the Fifth Circuit within thirty (30) days of the entry of the final judgment in this matter.**

IT IS, THEREFORE, ORDERED AND ADJUDGED that the above captioned cause be, and the same hereby is, **dismissed** with prejudice.

SO ORDERED AND ADJUDGED this the 20th day of October, 2016.

*s/Keith Starrett*  
UNITED STATES DISTRICT JUDGE